C. J.' Court

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 13th day of March, 2003

Crl. Misc Bail Application No.227 of 2003

Order on the Bail Application

CRIMINAL SIDE

Jai Prakash s/o Ganga Ram
R/o Village Hashim Pur
P.S. Deoband
Distt. Saharanpur …… Applicant

Versus

State of Uttaranchal ..…… Opposite party.

Arising Out of Crime No. 220 of 2002
Under Sections: 147,148,149,302,I.P.C.
Police station: Gangnahar Roorkee
District: Haridwar

Hon. A.A. Desai, C. J.

Heard Sri Arvind Kumar Vashistha, learned counsel for the applicants and Sri S.P.S.Pawar, learned Government Advocate.

The informant who claims to be eye witness of the incident leading to the homicidal death has not immediately lodge the first information report. It appears that he went to the police station after the police reached at the spot and seen the dead body and entry was accordingly made.

The statement of another person who also claims to be the eye witness has been recorded after three weeks wherein he has averred that he has seen these two accused holding a torch at the time of assault.

Having regard to the material as collected by the investigating agency, I direct that the accused, namely, Jai Prakash be released on bail on his furnishing a personal bond with two sureties each in the like amount to the satisfaction of the C.J.M. Haridwar.

(A.A. Desai, C. J.)

Dt. 13.03.2003

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